

106TH CONGRESS
2D SESSION

S. 2878

To commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2000

Mr. SMITH of New Hampshire (for himself, Mr. BAUCUS, Mr. CRAPO, Mr. WARNER, Mr. GRAHAM, Mr. CHAFEE, Mr. LIEBERMAN, Mr. REID, Mr. LAUTENBERG, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Wildlife Ref-
5 uge System Centennial Commemoration Act of 2000”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

(1) President Theodore Roosevelt began an American wildlife conservation legacy by establishing the first national wildlife refuge at Indian River Lagoon on Pelican Island, Florida, on March 14, 1903;

(2) the National Wildlife Refuge System is comprised of more than 93,000,000 acres of Federal land managed by the United States Fish and Wildlife Service in more than 520 individual refuges and thousands of Waterfowl Production Areas located in all 50 States and the territories of the United States;

(3) the System is the only network of Federal land that—

(A) is dedicated singularly to wildlife conservation; and

(B) has wildlife-dependent recreation and environmental education as priority public uses;

(4) the System serves a vital role in the conservation of millions of migratory birds, hundreds of endangered and threatened species, some of the premier fisheries of the United States, marine mammals, and the habitats on which those species depend;

(5)(A) each year the System provides millions of Americans with opportunities to participate in

1 wildlife-dependent recreation, including hunting,
2 fishing, and wildlife observation; and

3 (B) through those activities, Americans develop
4 an appreciation for the natural wonders and wildlife
5 heritage of the United States;

6 (6) the occasion of the centennial of the begin-
7 ning of the System, in 2003, presents a historic op-
8 portunity to enhance natural resource stewardship
9 and expand compatible public enjoyment of the na-
10 tional wildlife refuges of the United States; and

11 (7) the United States Fish and Wildlife
12 Service—

13 (A) recognizes that the System has a back-
14 log of unmet critical operations and mainte-
15 nance needs;

16 (B) has worked to prioritize those needs;
17 and

18 (C) has made efforts to control the extent
19 of the backlog.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) COMMISSION.—The term “Commission”
23 means the National Wildlife Refuge System Centen-
24 nial Commission established by section 4.

1 (2) SYSTEM.—The term “System” means the
2 National Wildlife Refuge System established by the
3 National Wildlife Refuge System Administration Act
4 of 1966 (16 U.S.C. 668dd et seq.).

5 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

6 (a) ESTABLISHMENT.—There is established a com-
7 mission to be known as the “National Wildlife Refuge Sys-
8 tem Centennial Commission”.

9 (b) MEMBERSHIP.—The Commission shall be com-
10 posed of the following members:

11 (1) The Secretary of the Interior.

12 (2) The Director of the United States Fish and
13 Wildlife Service.

14 (3) The Executive Director of the National Fish
15 and Wildlife Foundation established by the National
16 Fish and Wildlife Foundation Establishment Act (16
17 U.S.C. 3701 et seq.).

18 (4) Up to 10 individuals, recommended by the
19 Secretary of the Interior and appointed by the Presi-
20 dent, who—

21 (A) are not officers or employees of the
22 Federal Government; and

23 (B) shall be broadly representative of the
24 diverse beneficiaries of the System and have
25 outstanding knowledge or appreciation of wild-

1 life, fisheries, natural resource management, or
2 wildlife-dependent recreation.

3 (5) The Chairman and Ranking Member of the
4 Committee on Environment and Public Works of the
5 Senate and the Chairman and Ranking Member of
6 the Committee on Resources of the House of Rep-
7 resentatives, who shall be nonvoting members.

8 (c) TERM; VACANCIES.—

9 (1) TERM.—A member shall be appointed for
10 the life of the Commission.

11 (2) VACANCIES.—A vacancy on the
12 Commission—

13 (A) shall not affect the powers of the Com-
14 mission; and

15 (B) shall be filled in the same manner as
16 the original appointment was made.

17 (d) INITIAL MEETING.—Not later than 30 days after
18 the date on which all members of the Commission have
19 been appointed, the Commission shall hold the initial
20 meeting of the Commission.

21 (e) MEETINGS.—The Commission shall meet at the
22 call of the Chairperson.

23 (f) CHAIRPERSON.—The Secretary of the Interior
24 shall serve as Chairperson of the Commission.

1 **SEC. 5. DUTIES.**

2 (a) IN GENERAL.—The Commission shall—

3 (1) develop and carry out, in cooperation with
4 Federal, State, local, and nongovernmental entities
5 (including public and private associations and edu-
6 cational institutions), a plan to commemorate, on
7 March 14, 2003, the centennial of the beginning of
8 the System;

9 (2) provide, in cooperation with the entities,
10 host services for conferences on the System and as-
11 sist in the activities of the conferences;

12 (3) make recommendations to the Secretary of
13 the Interior concerning the long-term plan for the
14 System required under section 9; and

15 (4) make recommendations to the Secretary of
16 the Interior concerning measures that can be taken
17 to enhance natural resources stewardship and ex-
18 pand compatible public enjoyment of the System.

19 (b) REPORTS TO CONGRESS.—

20 (1) ANNUAL REPORTS.—Not later than Decem-
21 ber 31 of the first calendar year that begins after
22 the date on which the Commission holds its initial
23 meeting, and December 31 of each calendar year
24 thereafter through 2003, the Commission shall sub-
25 mit to the Committee on Environment and Public
26 Works of the Senate and the Committee on Re-

1 sources of the House of Representatives a report on
2 the activities and plans of the Commission.

3 (2) FINAL REPORT.—Not later than December
4 31, 2004, the Commission shall submit to the Com-
5 mittee on Environment and Public Works of the
6 Senate and the Committee on Resources of the
7 House of Representatives a final report on the ac-
8 tivities of the Commission, including an accounting
9 of all funds received and expended by the Commis-
10 sion.

11 **SEC. 6. POWERS.**

12 (a) MEETINGS.—The Commission may hold such
13 meetings, sit and act at such times and places, take such
14 testimony, and receive such evidence as the Commission
15 considers advisable to carry out this Act.

16 (b) INFORMATION FROM FEDERAL AGENCIES.—

17 (1) IN GENERAL.—The Commission may secure
18 directly from a Federal agency such information as
19 the Commission considers necessary to carry out this
20 Act.

21 (2) PROVISION OF INFORMATION.—On request
22 of the Chairperson of the Commission, the head of
23 the agency shall provide the information to the Com-
24 mission.

1 (c) FINANCIAL AND ADMINISTRATIVE SERVICES.—

2 Subject to subsection (e)(2), the Secretary of the Interior,
3 acting through the Director of the United States Fish and
4 Wildlife Service, shall provide to the Commission financial
5 and administrative services (including services relating to
6 budgeting, accounting, financial reporting, personnel, and
7 procurement).

8 (d) POSTAL SERVICES.—The Commission may use
9 the United States mails in the same manner and under
10 the same conditions as other agencies of the Federal Gov-
11 ernment.

12 (e) GIFTS.—

13 (1) ACCEPTANCE.—The Commission may ac-
14 cept, use, and dispose of gifts or donations of serv-
15 ices or property to carry out this Act.

16 (2) ADMINISTRATION OF FUNDS.—The Na-
17 tional Fish and Wildlife Foundation shall admin-
18 ister, on behalf of the Commission, any gifts of
19 funds received under paragraph (1) in accordance
20 with the rules and procedures of the Foundation.

21 (f) APPLICABLE LAW.—Federal laws (including regu-
22 lations) governing procurement by Federal agencies shall
23 not apply to the Commission, except for laws (including
24 regulations) concerning working conditions, wage rates,
25 and civil rights.

1 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

2 (a) COMPENSATION OF MEMBERS.—A member of the
3 Commission shall serve without compensation for the serv-
4 ices of the member to the Commission.

5 (b) STAFF.—

6 (1) EXECUTIVE DIRECTOR.—The Chief of the
7 National Wildlife Refuge System of the United
8 States Fish and Wildlife Service shall serve as the
9 Executive Director of the Commission.

10 (2) OTHER PERSONNEL.—The Chairperson of
11 the Commission may, without regard to the civil
12 service laws (including regulations), appoint and ter-
13 minate such personnel as are necessary to enable the
14 Commission to perform the duties of the Commis-
15 sion.

16 (3) COMPENSATION.—

17 (A) IN GENERAL.—Except as provided in
18 subparagraph (B), the Chairperson of the Com-
19 mission may fix the compensation of the per-
20 sonnel appointed under paragraph (2) without
21 regard to the provisions of chapter 51 and sub-
22 chapter III of chapter 53 of title 5, United
23 States Code, relating to classification of posi-
24 tions and General Schedule pay rates.

25 (B) MAXIMUM RATE OF PAY.—The rate of
26 pay for the personnel appointed under para-

graph (2) shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) TRAVEL EXPENSES.—Each member, the Executive Director, and other personnel of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the individual in the performance of the duties of the Commission.

SEC. 8. TERMINATION OF COMMISSION.

(a) DATE.—The Commission shall terminate 90 days after the date on which the Commission submits the report of the Commission under section 5(b)(2).

(b) DISPOSITION OF COMMISSION PROPERTY.—

(1) MEMORABILIA.—On termination of the Commission and after consultation with the Archivist of the United States and the Secretary of the Smithsonian Institution, the Executive Director may—

(A) deposit all books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other similar materials of the Commission relating to the centennial of the beginning of

1 the System in a Federal, State, or local library
 2 or museum; or

3 (B) make other disposition of such mate-
 4 rials.

5 (2) OTHER PROPERTY.—The Executive Direc-
 6 tor may—

7 (A) use property that is acquired by the
 8 Commission and remains on termination of the
 9 Commission (other than property described in
 10 paragraph (1)) for the purposes of the System;
 11 or

12 (B) dispose of such property as excess or
 13 surplus property.

14 **SEC. 9. LONG-TERM PLAN FOR SYSTEM.**

15 After taking into consideration the recommendations
 16 of the Commission under section 5(a)(3), the Secretary
 17 of the Interior shall develop a long-term plan for the Sys-
 18 tem to address—

19 (1) the priority staffing and operational needs
 20 as determined through—

21 (A) the refuge operating needs system; and

22 (B) comprehensive conservation plans for
 23 refuges required under section 4(e) of the Na-
 24 tional Wildlife Refuge System Administration
 25 Act of 1966 (16 U.S.C. 668dd(e));

1 (2) the priority maintenance and construction
 2 needs as identified in the maintenance management
 3 system, the 5-year deferred maintenance list, and
 4 the 5-year construction list, developed by the Sec-
 5 retary of the Interior; and

6 (3) any transition costs as identified by the Sec-
 7 retary of the Interior in conducting analyses of
 8 newly acquired refuge lands.

9 **SEC. 10. DESIGNATION OF YEAR OF THE WILDLIFE REF-**
 10 **UGE.**

11 (a) IN GENERAL.—Congress designates 2003 as the
 12 “Year of the Wildlife Refuge”.

13 (b) PROCLAMATION.—Congress requests the Presi-
 14 dent to issue a proclamation calling on the people of the
 15 United States to celebrate the Year of the Wildlife Refuge
 16 with appropriate ceremonies and programs.

17 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated to carry out
 19 the activities of the Commission under this Act—

20 (1) \$100,000 for fiscal year 2001; and

21 (2) \$250,000 for each of fiscal years 2002
 22 through 2004.

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